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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,664	11/28/2001	Willis Blankenship	7517.100	8429

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EXAMINER

JACKSON, ANDRE L

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 04/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/994,664

Applicant(s)

BLANKENSHIP, WILLIS

Examiner

Andre' L. Jackson

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6,8-10 and 12-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-10 and 12-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### Claim Objections

Claim 1, 8, 13 and 15 are objected to because of the following informalities: In claim 1, line 1, change "An" to --A--. Regarding claim 8, in line 1, claim 8 is dependent from a cancelled claim. Claims 13 and 15, line 2 respectively, recite "article-engaging strap" which should be changed to -- bag-engaging strap -- to be uniform with identically described terminology throughout the claims. Appropriate correction is required.

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-10 and 12-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,434,800 to James et al in view of USPN 6,038,745 to Rapp. James et al discloses a golf bag retaining device comprising, a bag-engaging strap (7) including a releasable coupling device (10) for selectively configuring the strap between a closed loop configuration for engaging the strap around the golf bag and an open loop configuration for disengaging the strap from the golf bag; and an article-holding strap including (15), a first end provided with a first releasable fastener (13) attached to the first end, a second end provided with a second releasable fastener (16) attached to a second end.

Art Unit: 3677

The first releasable fastener is releasably attached to the bag-engaging strap and the second releasable fastener is provided for releasably attaching the article-holding strap to a structure (21), and wherein the second releasable fastener can be adapted to attach the article-holding strap to wrap around the structure. However, James et al fails to disclose or suggest a slidable ring disposed on the article-holding strap as claimed.

Rapp (Fig. 4) teaches an adjustable strap (30) comprising a first releasable fastener (35), a second releasable fastener (37); several strap adjustment brackets (39-41) and a slidable ring (46). The strap operable to hold one or more items (47, 48) and the strap also can be connected to a supporting structure. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to modify the retaining device of James et al to include the adjustable strap as taught by Rapp for the purpose of having a multi-purpose strap assembly that can wrap around and secure a plurality of objects and that strap itself being able to be connected to a supporting structure in various configurations.

Referring to claims 2-6, 8-10, 12 and 19-21, it is obvious to one having ordinary skill of the various securing configurations of the strap assembly taught by Rapp with the ability to be wrapped around a structure (bar or shaft of a golf club) and be secured to itself by the combination of the second releasable fastener and the slidable ring member, the assembly can be wrapped around a structure and secured to the retaining or bag-engaging strap of James et al via the slidable rings (14) or the assembly can be secured to a structure by the second releasable fastener alone.

Art Unit: 3677

Referring to claims 13-15, neither James et al nor Rapp disclose that the plurality of eyelet or rings disposed on the bag-engaging strap and the article-holding strap are D-shaped. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to modify the rings or eyelets to be D-shaped. A change in the shape of a prior art device is a design consideration well known within the skill of the art.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,842,444 to Perrulli in view of USPN 6,192,835 to Calhoun et al. Perrulli discloses an article securing strap assembly comprising, an article-engaging strap (12) including a releasable coupling device (24a, 24b) at each end of the article-engaging strap for selectively configuring the strap between a closed loop configuration for engaging the strap around the article and an open loop configuration for disengaging the strap from the article, the article-engaging strap continuously extends around the closed loop and terminates at the releasable coupling device; and an article-holding strap including (14), a first end provided with a first releasable fastener (16) attached to the first end, a second end provided with a second releasable fastener (13) attached to a second end. The first releasable fastener is releasably attached to the article-engaging strap through a slidable ring (26) and wherein the article-holding strap selectively and releasably engages a supporting structure (15a) in one of a first position wherein the second end is wrapped around the supporting structure and the second releasable fastener is releasably attached to article-engaging strap, a second position wherein the second end is wrapped around the supporting structure and the second releasable fastener is releasably attached to the article-holding strap, and a third position wherein the second releasable fastener is releasably attached to the supporting structure and wherein the slidable ring is adapted to slide along the article engaging strap from about 180

Art Unit: 3677

degrees of the article-engaging strap but not the entire length of the article-engaging strap as claimed. Calhoun et al (Fig. 4) teaches an article-engaging strap (60) comprising a slidable ring (69) free to slide the entire length of the article-engaging strap providing an easy, free moving connection to an article-holding strap (18) at any desired position. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to modify the strap assembly of Perrulli to include the strap assembly of Calhoun et al to provide a quick and easy connection strap.

### **Response to Applicant's Arguments**

Applicant's arguments filed in Amendment A on February 6, 2003 have been fully considered but they are not persuasive. On page 8, of the above amendment, applicant argues that the prior art of record (Perrulli) does not disclose or suggest the limitations of applicant's amended claims, in particular, a golf bag securing strap. In response to the amendment of applicant's claims and this argument, James et al in combination with Rapp, Perrulli in combination with Calhoun et al have been cited which disclose the limitations of applicant's claims. Accordingly, claims 1-6, 8-10 and 12-22 are rejected.

Art Unit: 3677

### Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Most of the prior art references disclose various strap carrier or holding devices for bags, more specific, golf bags.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (703) 605-4276. The examiner can normally be reached on Mon. - Fri. (9 am - 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1018.

ALJ  
April 10, 2003

Andre L. Jackson  
Patent Examiner  
AU 3677



WILLIAM MILLER  
PRIMARY